

**Idaho Fish and Game Commission
Special Meeting
September 8, 2006**

Present in the Director's Office: Steve Huffaker, Terry Mansfield, Mary Boyer, Dallas Burkhalter, Roger Fuhrman, Jim Unsworth, Brad Compton, Neils Nokkentved, David Hensley, Channel 2 News Reporters, and members from the Idaho Sportsmen Caucus. Staff from Regions 5&6 participated.

A special meeting of the Idaho Fish and Game Commission was held by telephone conference. The meeting was called to order by Chairman Wheeler at 3:00 p.m. with Commissioners Irby, McDermott, Barowsky, Wright, Budge, and Power participating.

RULES

A special meeting was called by Chairman Wheeler to discuss and take action on the executive order issued by Governor Risch concerning escaped domestic elk in Eastern Idaho.

Director Huffaker reported that he was advised to hold an executive session since today's action may be litigated. Deputy Attorney General, Dallas Burkhalter and David Hensley, Counsel to the Governor briefed Commissioners.

06-66 Commissioner Barowsky moved and Commissioner Irby seconded a motion **TO HOLD AND EXECUTIVE SESSION PURSUANT TO IDAHO CODE 67-2345(1)(f) TO DISCUSS LEGAL MATTERS**. The motion carried in a unanimous vote.

Executive Session ended at 3:20 pm and no action was taken.

Director Huffaker provided background information on the escaped domestic elk situation to the Commissioners. He stated that the domestic elk escaped prior to the 14th of August. It is unclear how far prior to that date, but that is when the first report was made. The report stated that the elk had been feeding on a haystack on one of the neighbor's property for a week or more on the 14th of August. The elk may be fairly widely distributed at this time. There are several hunting seasons that are open in the Region at this time.

The number of elk that escaped at best estimate is 24 bulls, and at least 50 cows and calves. It is not clear if that is 50 cows with calves or 50 cows and calves. The estimated range we have heard of is 75-125 animals.

The Department of Agriculture has had trouble with the operator of this facility in marking the animals and fines have been issued regarding not adequately marking the animals. The operator has appealed the action and it will come before the State Supreme Court. After discussions with the Department of Agriculture, it is very likely that none of these elk are marked as the statute requires. Domestic elk are required to be marked with a plastic tag that is visible from 150 feet. If the elk are marked at all they would be marked with a USDA animal identification tag which is an aluminum tag that is 3/8 inch wide and 1 ½ inches long. These types of markings oxidize over time and the likely hood that a hunter or a trained observer with anything less than a heavy spotting scope would be able to tell if these animals or wild or domestic would be problematic.

The Director presented the Department's recommendation for how we handle this situation as follows:

- The Department agrees with the Governor that these domestic elk are a significant threat to the State's wildlife and immediate and decisive action should be taken.
- The Department is prepared to put Department employees along with Department of Agriculture employees in the field on Saturday, September 9th at daylight to attempt to remove them.
- Seven teams of a three person team consisting of two shooters and a spotter have been assembled.
- A helicopter and fixed wing aircraft will be on standby to go up and spot and relay information to the ground crews.

Director Huffaker stated that there will be salvage crews on hand to process the elk carcasses. The animals will be tested for disease and DNA samples to test for potential Red Deer genetics.

Director Huffaker stated that in order to comply with the Governor's direction, the Commission will need to clarify that Director Huffaker has authority to order a Depredation hunt 36-106 (e) (6). There is a provision for a depredation hunt and this situation meets the definition for which the depredation hunt was created.

The depredation hunt will allow the general public, including landowners and licensed hunters, to take the animals in a depredation hunt under State authority as follows:

- Depredation hunters who shoot a domestic elk will not be required to tag that animal.
- If the depredation hunter shoots a wild animal he will be required to tag that animal, punch their tag and the hunt is over.

- The first pool of hunters will be those individuals who already have tags to hunt in that area. These hunters are more likely to know the area, be familiar with the terrain, and be more efficient than someone who has never hunted there before.
- As fall back measures the Department will follow the procedure currently used and sign up hunters who are interested in helping with this control action. This step will give other hunters an opportunity to participate if we need additional hunters.
- Hunting seasons that are open in the area will remain open. The Department will inform these hunters that if they take a domestic animal they do not need to punch their tag.
- The depredation hunt will start on or before October 1st at the discretion of Director Huffaker.

06-67 Commissioner Wright moved and Commissioner Irby seconded **TO AUTHORIZE THE DEPARTMENT TO PROCEED WITH THE CONTROL PROGRAM AND DEPREDATION HUNT DESCRIBED IN THE DEPARTMENT'S RECOMMENDATIONS AS PRESENTED BY THE DIRECTOR.** The motion carried in a unanimous vote.

Adjournment 3:45 pm

Cameron Wheeler
Chairman

Terry M. Mansfield
Secretary